

Objection/Response to Motions

This lesson explains how to docket an objection (or a response) to a motion or application. The example used is an objection to a debtor's motion to avoid lien with Householders Finance. *First docket this motion if you have not already done so.*

- STEP 1 Click the [Bankruptcy](#) hyperlink on the CM/ECF Main Menu. (See Figure 1.)



Figure 1

- STEP 2 The BANKRUPTCY EVENTS screen displays. (See Figure 2.)

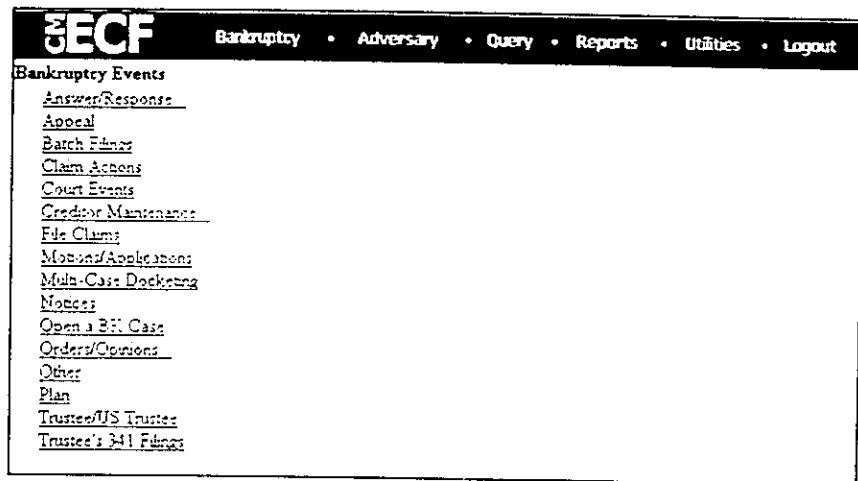


Figure 2

- ◆ Click the [Answer/Response](#) hyperlink. Answer in this context is not an answer to a complaint. Answers to complaints are found under [Adversary](#) menu.

- STEP 3 The ANSWER/RESPONSE TYPE screen will display next. (See Figure 3.)

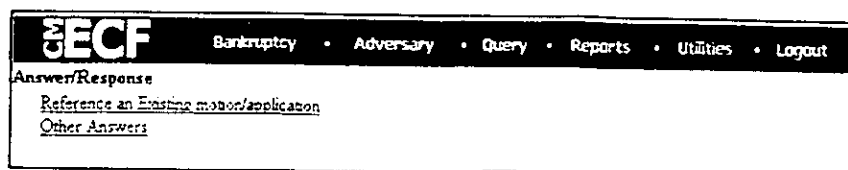


Figure 3

- ◆ Click the [Reference an existing motion/application](#) hyperlink.

STEP 4 The CASE NUMBER screen displays. (See Figure 4.)

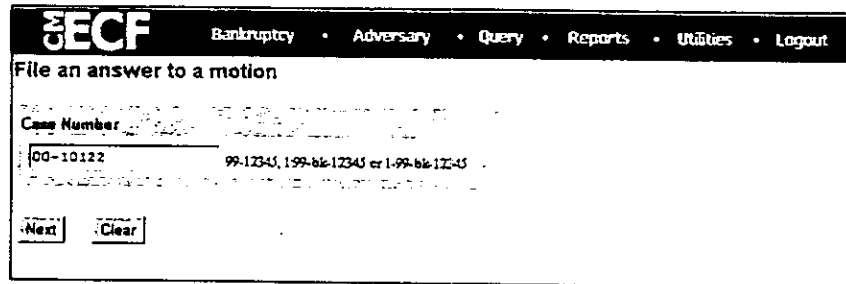
The screenshot shows the ECF Case Number screen. At the top is a navigation bar with the ECF logo and links for Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. Below the bar is the heading "File an answer to a motion". The main area contains a "Case Number" label followed by a text input field. The input field contains the text "00-10122" and a dropdown menu showing "99-12345, 199-bk-12345 or 1-99-bk-12345". Below the input field are "Next" and "Clear" buttons.

Figure 4

- ◆ Enter the correct case number.
- ◆ Click [Next].

STEP 5 The DOCUMENT TYPE screen displays. (See Figure 5.)

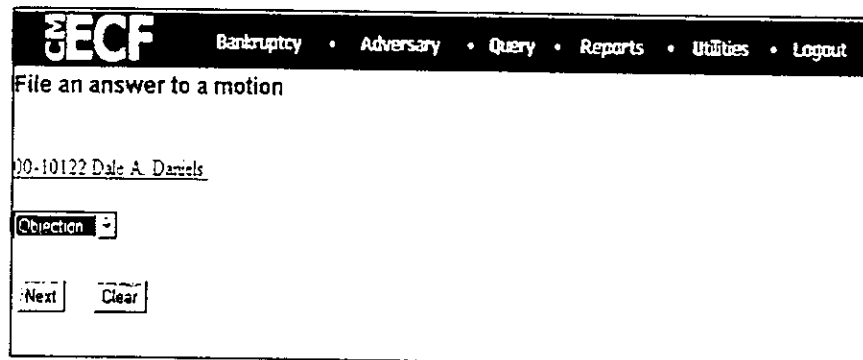
The screenshot shows the ECF Document Type screen. At the top is a navigation bar with the ECF logo and links for Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. Below the bar is the heading "File an answer to a motion". The main area contains the text "00-10122 Dale A. Daniels" followed by a dropdown menu labeled "Objection". Below the dropdown menu are "Next" and "Clear" buttons.

Figure 5

- ◆ Click on the down arrow and highlight *objection*.
- ◆ Click [Next].

STEP 6 The CASE NUMBER VERIFICATION screen displays. (See Figure 6.)

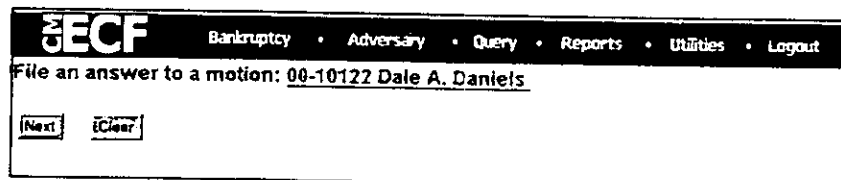
The screenshot shows the ECF Case Number Verification screen. At the top is a navigation bar with the ECF logo and links for Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. Below the bar is the heading "File an answer to a motion: 00-10122 Dale A. Daniels". The main area contains "Next" and "Clear" buttons.

Figure 6

- ◆ It is possible to view the docket report for this case by clicking on

the case title. The case number and debtor name display for confirmation.

- ◆ Click [Next].

STEP 7

- ◆ The **ATTORNEY SELECTION** screen displays. (See Figure 7.) Every attorney already participating in this case will be displayed on this screen. The attorney for the party filing the objection in this

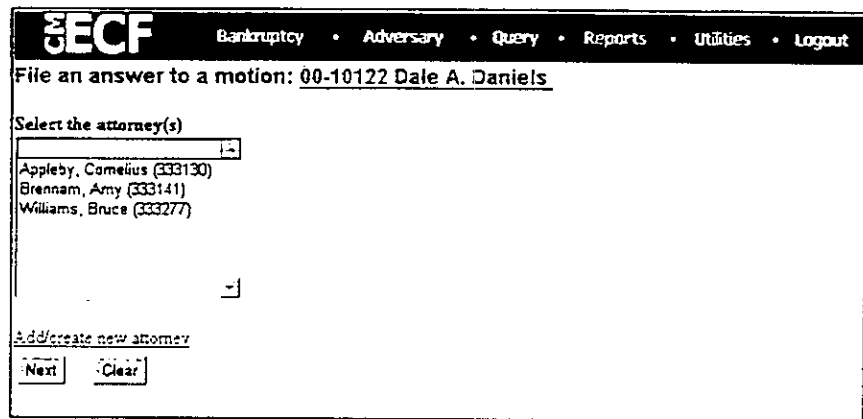


Figure 7

example is Paul Peterson.

- ◆ Since the attorney's name *is NOT displayed* in the Select the Attorney box. Click the Add/create new attorney hyperlink.

STEP 8

The process of adding an attorney to the case must begin by locating the attorney record from the attorney roll. This step begins with the **ATTORNEY SEARCH** screen. (See Figure 8.)

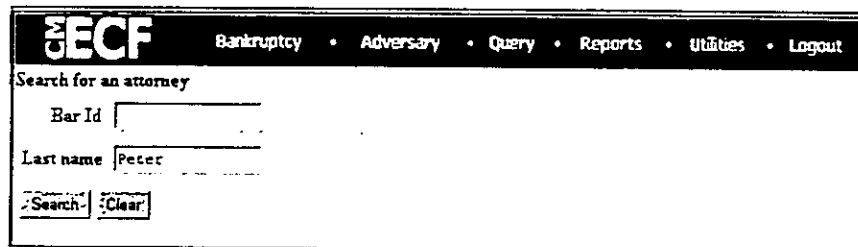


Figure 8

- ◆ Search either by state Bar ID or Last name.

- ◆ Enter the last name of the attorney. Remember: records are stored in upper and lower case, and this search is case sensitive. Enter **Peterson**, not **peter**son or **PETERSON**) and click **[Search]**.

STEP 9 The **ATTORNEY SEARCH RESULTS** screen displays.
(See Figure 9a.)

The screenshot shows the ECF web interface. At the top is a navigation bar with links: Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. Below this is a section titled "Search for an attorney" with input fields for "Bar Id" and "Last name". There are "Search" and "Clear" buttons. Below the search fields is a section titled "Attorney search results" which displays a list containing "Peterson, Paul". At the bottom of the results section are two buttons: "Select name from list" and "Create new attorney".

Figure 9a

NOTE: Your search may find more than one person having the same name as shown in Figure 9b. Clicking on each of the names will display a window with the person's address information for verification.

If none of the addresses are correct for your attorney, you can either 1.) modify the address (for this case only) on the following ATTORNEY INFORMATION screen, or 2.) click on the **[Create new attorney]** button to add a new person record with this address to the court's attorney roll. Follow local guidelines.

This screenshot is similar to Figure 9a, but it shows a search for "Matlock, Benjamin". The "Attorney search results" list contains two entries: "Matlock, Benjamin" and "Matlock, Benjamin". A pop-up window titled "(Person Address) Netscape" is open, displaying the following information: "Benjamin Matlock, Jr.", "Bar Id:", "Matlock & Matlock Law Offices", "3001 Forrester Circle", and "Pleasantville, IA 78333". The "Select name from list" and "Create new attorney" buttons are visible at the bottom of the main screen.

Figure 9b

- ◆ If your first search is not successful, use different criteria until the

attorney record is retrieved. *Follow local procedures if the attorney record is not found.*

- ◆ Click to highlight the attorney, Paul Peterson, in the **Attorney Search Results** text box.
- ◆ Click the [Select name from list] button.

STEP 10 The **ATTORNEY INFORMATION** screen will appear next.
(See Figure 10.)

The screenshot shows the 'ECF' logo at the top left, followed by navigation links: Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. Below this is the 'Attorney Information' section for 'Paul Peterson' with 'Bar Id: 12345' and 'Bar Status: Unknown'. The form contains several input fields: Office (Smithers & Co.), Address 1 (1414 E. 51st Street), Address 2, Address 3, City (New York), State (NY), Zip (02001), Country, Phone, Fax, and E-mail. There is a 'Lead attorney' dropdown menu currently set to 'yes'. At the bottom are three buttons: 'Add attorney', 'Cancel attorney', and 'Clear'.

Figure 10

- ◆ If the address is incorrect for the current case, modify the appropriate field(s).

NOTE: Changing the attorney's address or other data on this screen only changes the record for the current case. Changes to the master name and address record must be done through Maintain User Account.

- ◆ Click the [Add Attorney] button.

- STEP 11 The ATTORNEY SELECTION screen displays again. (See Figure 11.) The attorney you added is now highlighted and displayed at the top of the list.

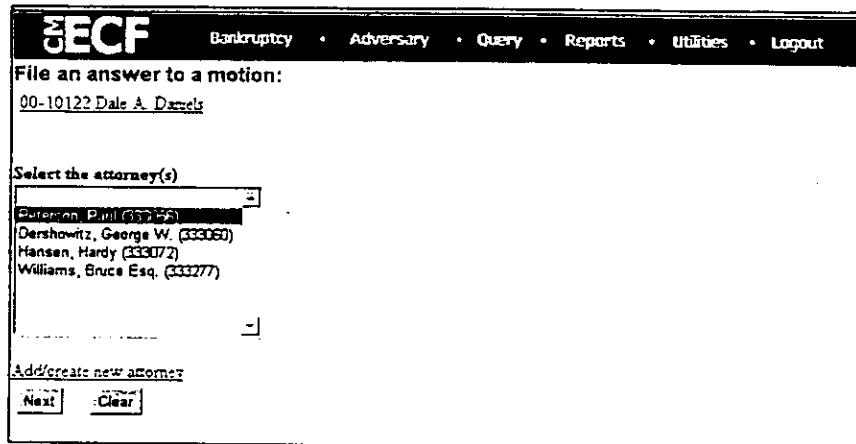
The screenshot shows the ECF system interface. At the top is a navigation bar with links: Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. Below this is a header section that reads "File an answer to a motion:" followed by the case number "00-10122 Dale A. Daniels". The main section is titled "Select the attorney(s)" and contains a list box with four entries: "Puterman, Paul (333060)", "Oershowitz, George W. (333060)", "Hansen, Hardy (333072)", and "Williams, Bruce Esq. (333277)". The first entry, "Puterman, Paul (333060)", is highlighted. Below the list box is a link that says "Add/create new attorney". At the bottom of the form are two buttons: "Next" and "Clear".

Figure 12

- ◆ Click [Next].

- STEP 12 The SELECT PARTY screen displays. All participating parties on the case will display on this screen. (See Figure 12.)

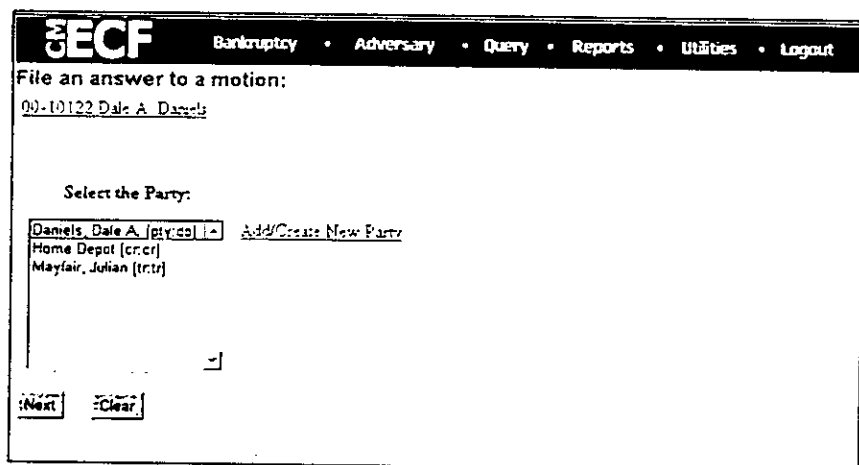
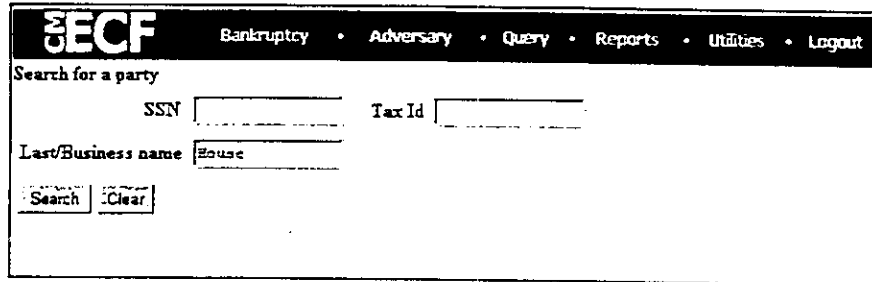
The screenshot shows the ECF system interface. At the top is a navigation bar with links: Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. Below this is a header section that reads "File an answer to a motion:" followed by the case number "00-10122 Dale A. Daniels". The main section is titled "Select the Party:" and contains a list box with three entries: "Daniels, Dale A. [pt:cc]", "Home Depot [cc:cc]", and "Mayfair, Julian [tr:tr]". The first entry, "Daniels, Dale A. [pt:cc]", is highlighted. To the right of the list box is a link that says "Add/Create New Party". At the bottom of the form are two buttons: "Next" and "Clear".

Figure 12

- ◆ The party filing the objection in this example is Household Finance.
- ◆ Since the party name, (Household Finance, does not display in the **Select The Party** box, they need to be added to this case.
- ◆ Click the Add/Create New Party hyperlink.

STEP 13

The **PARTY SEARCH** screen displays. (See Figure 13.) You must first search the database to retrieve the party record. If the party is new to your court, a new party record must be created.



CM/ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout

Search for a party

SSN Tax Id

Last/Business name

Figure 13

- ◆ It is very important to search carefully and thoroughly before adding a new party so duplicate records for the same person or entity do not reside on the database. Additional search hints are provided below.

Search Hints:

- Enter one field of data for each search.
- Format Social Security Number or Tax ID with hyphens.
- Searching is case sensitive. (Smith, not smith)
- Include punctuation. (O'Brien, Zeta-Jones)
- Try alternate search clues if your first search is not successful.
- Partial names can be entered.
- Wild cards (*) are not required at the end of search strings.
- Wild cards may be used before or within search strings. (*son, Gr?y)

- ◆ Click in the **Last/Business name** box and enter the last name or business name of the party. We have entered *House* for Householders Finance.
- ◆ Click **[Search]**.

STEP 14

The system will search the court database and then display a list of all parties whose names match the search criteria you entered. However, in this example, no matches were made for *House*. (See Figure 14a.)

The screenshot shows the ECF system's search interface. At the top, there is a navigation bar with links: Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. Below this, the 'Search for a party' section contains input fields for SSN, Tax Id, and Last/Business name. The 'Last/Business name' field is populated with 'House'. Below the input fields are 'Search' and 'Clear' buttons. The 'Party search results' section displays the message 'No person found.' and a 'Create new party' button.

Figure 14a

NOTE:

Your name search may find more than one record having the same name you entered as shown in Figure 14b. Clicking on each of the names will display a window showing the party's address information for verification.

If none of the addresses are correct for this party, you can either 1.) modify the address (for this case only) on the following PARTY INFORMATION screen, or 2.) click on the [Create new party] button to add a new person record with this address.

The screenshot shows the ECF system's search interface with search results. The 'Last/Business name' field is populated with 'American Express'. The 'Party search results' section displays a list of results, with 'American Express' selected. A pop-up window titled '(Person Address) - Newcase' displays the address information for the selected party: American Express, 1091 Sismore Rd., Dallas, TX 75253. At the bottom, there are buttons for 'Select name from list' and 'Create new party'.

Figure 14b

- ◆ Click the [Create new party] button.

STEP 15

The PARTY INFORMATION screen will then appear.
(See Figure 15.)

The screenshot shows the 'Party Information' screen in the CM/ECF system. At the top, there is a navigation bar with links: Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. Below this, the 'Party Information' form is displayed. The form has two columns of input fields. The first column includes: Last name (filled with 'Householders Finance'), Middle name, SSN (filled with '22-11-1234'), Office, Address 2, City, County (dropdown), Phone, E-mail, and ProSe (dropdown with 'no' selected). The second column includes: First name, Generation, Title, Tax ID, Address 1, Address 3, State, Zip, Country, Fax, and Role (dropdown with 'Creditor (cr:cr)' selected).

Figure 15

- ◆ Complete all appropriate name fields. The entire business name should be entered in the Last Name field.
- NOTE: Address information should be entered only if the party is *pro se*. Noticing for parties will be done through their attorney so the noticing program will retrieve the attorney's address, which is already in the attorney roll.
- ◆ If the party is represented by an attorney and address information displays, delete the address information before continuing.
- ◆ Since this party is represented by an attorney, accept the *pro se* default value of No.
- ◆ Click to expand the Party Role list arrow ▼ and highlight Creditor (cr:cr).
- ◆ Click [Submit].

STEP 16

The **SELECT PARTY** screen displays again with the new party filer highlighted at the top of the list (Householders Finance). (See Figure 16.)

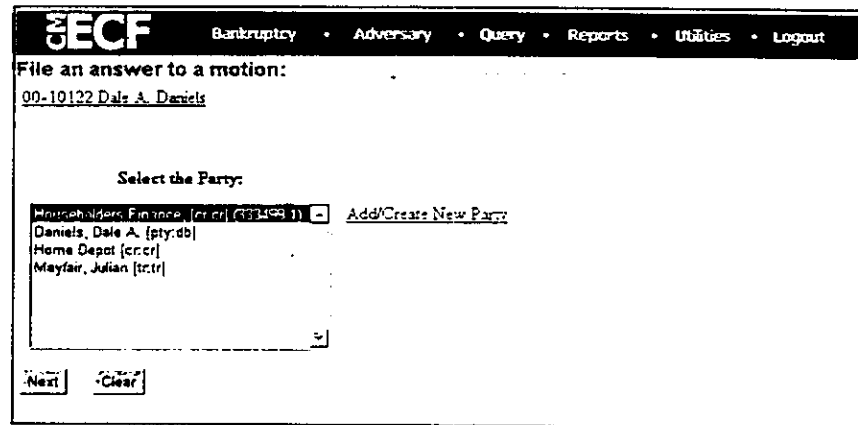


Figure 16

- ◆ Click [Next].

STEP 17

Since the party filer, Householders Finance, and its attorney, Hardy Hansen, were just added to the case, the **LINK PARTY/ATTORNEY** screen displays. (See Figure 17.)

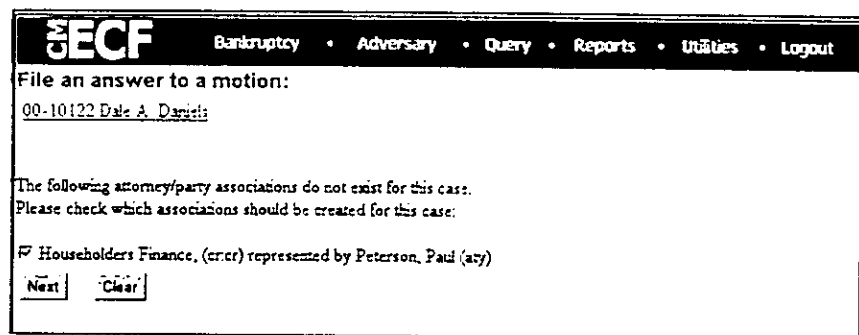


Figure 17

- ◆ Click in the check box to create the attorney/party association for this case. This establishes the link for queries, reports and docket text.
- ◆ Click [Next].

STEP 18 The PDF DOCUMENT screen will then display. (See Figure 18a.)

CM/ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout

File an answer to a motion: 00-10122 Dale A. Daniels

Date document filed (mandatory)
8/1/2000

Select the pdf document (for example: C:\199cv501-21.pdf).
Filename
R:\TRAINING\ECF\PDFfiles\O_m_evdlie

Attachments to Document: ☒ No ☐ Yes

Figure 18a

- ◆ The current date is displayed in the **Date Document Filed** box.
 - To backdate the event, enter the current file date in mm/dd/yyyy or MM/DD/YY format.
- ◆ If you are using the CM/ECF application in the electronic case filing mode, there will be a PDF document for this objection.
- ◆ If you have no imaged document for this application, click [Next].
 - When there is no PDF document, the option to assign a document number to this entry is then presented. (See Figure 18b.)

Assign a document number? ☒ Yes ☐ No

Figure 18b

- Depending upon your court processes, accept the Yes default or click No. Skip to STEP 19.
- ◆ If there is an imaged document to associate with this entry:
 - Click [Browse], navigate to the directory where the PDF file is located and select it with your mouse.

- To make certain you are about to associate the correct PDF file for this entry, right click on the filename with your mouse and select **Open**. (See Figure 18c.)

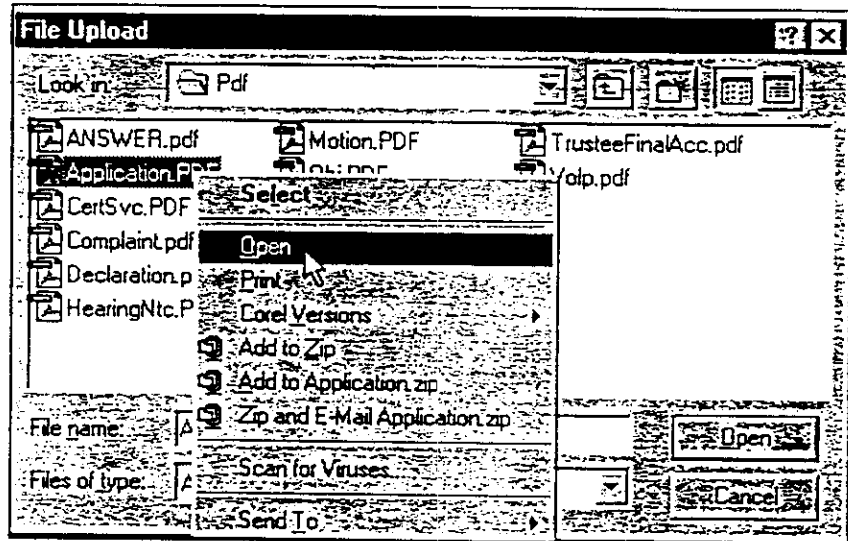


Figure 18c

- This will launch the Adobe Acrobat Reader to display the contents of the imaged document. Verify that the document is correct.
- Close or minimize the Adobe application and if that is the correct file, click Open on the File Upload dialogue box. (See Figure 18d.)

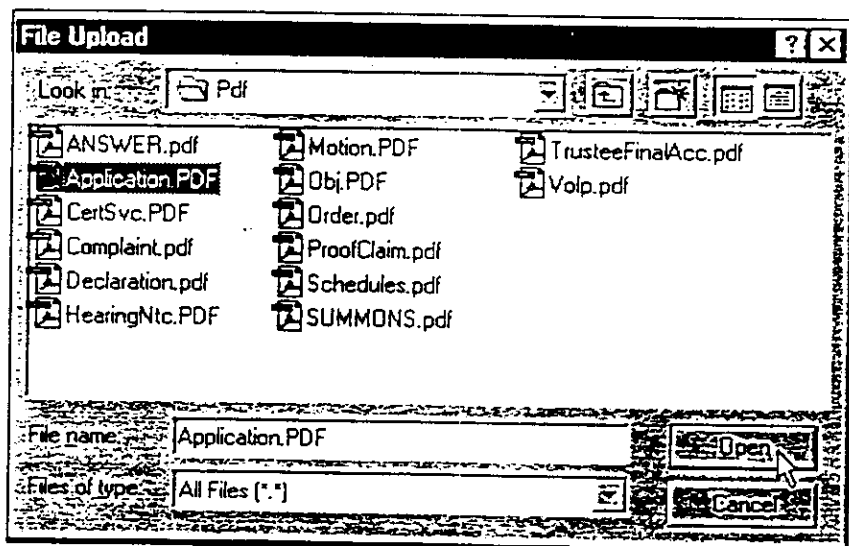


Figure 18d

- Click [**Browse**], then navigate to the directory where the appropriate PDF file is located.
- Highlight the file. Right click with your mouse and select **open** to verify the contents of the document. If correct, double-click the PDF file to select it.
- Accept the default setting of **No** to the **Attachments to Document** prompt. Attachments will be covered in another module.
- Click [**Next**].

STEP 19 The **PENDING MOTIONS** screen appears next. (See Figure 19a.)

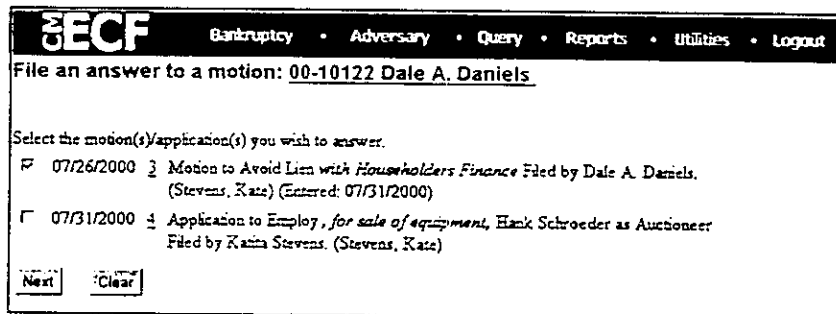


Figure 19a

- ◆ Check the box beside the motion to which the objection is related (Motion to Avoid Lien). If there is more than one possible selection, click on the document number hyperlink to view the imaged motion.
- ◆ The text of the motion will not carry over into the docket text. You can use the following Windows shortcut to prevent having to type in the Final Text Editing screen.
 - With your mouse highlight the text of the motion to copy it for the final docket text. (See Figure 19b.)

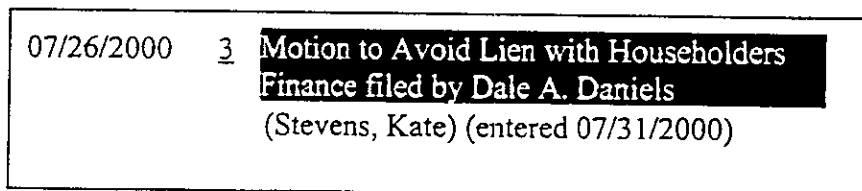


Figure 19b

- Click **Edit** from the browser main menu bar and select **Copy** or use the keystroke [Ctrl] + C. The text is now stored in the Windows clipboard.
- Click **[Next]**.

STEP 20

A reminder message will display to ensure the filer makes the final docket text complete and meaningful. (See Figure 20.) Click **[Next]**.

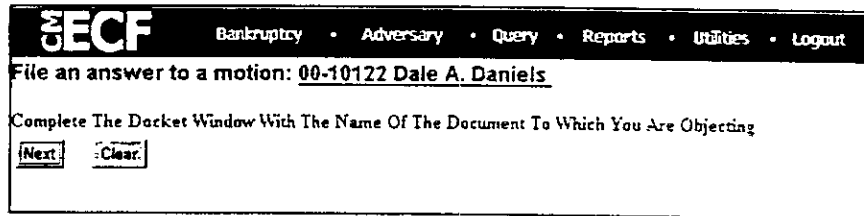
The screenshot shows the ECF system interface. At the top is a navigation bar with links: Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. Below this is a header section that reads "File an answer to a motion: 00-10122 Dale A. Daniels". The main content area contains the instruction "Complete The Docket Window With The Name Of The Document To Which You Are Objecting". At the bottom of this area are two buttons: "Next" and "Clear".

Figure 20

STEP 21

The **MODIFY DOCKET TEXT** screen appears. (See Figure 21.)

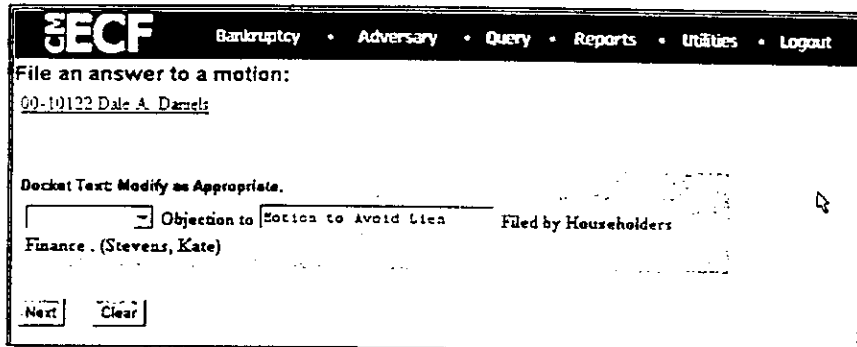
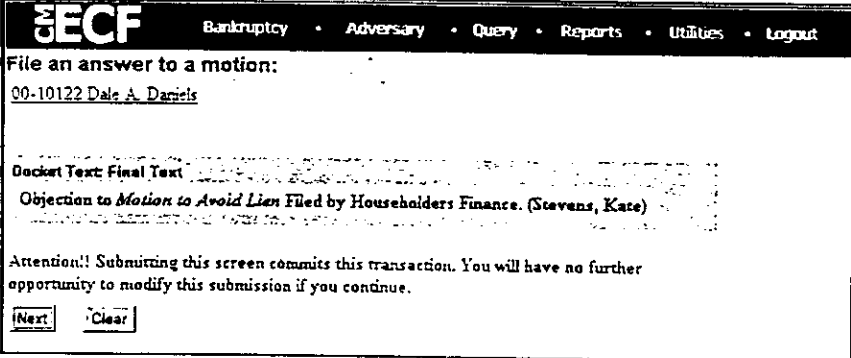
The screenshot shows the ECF system interface for the "MODIFY DOCKET TEXT" screen. The top navigation bar is the same as in Figure 20. Below it is the same header: "File an answer to a motion: 00-10122 Dale A. Daniels". The main content area has the instruction "Docket Text: Modify as Appropriate." followed by a text input field containing "Finance . (Stevens, Kate)". To the right of the input field is a dropdown menu currently set to "Objection to" with other options visible: "Motion to Avoid Lien" and "Filed by Household". At the bottom of the main area are "Next" and "Clear" buttons.

Figure 21

- ◆ Complete the docket text with the appropriate prefix and descriptive detail. If you have copied the text from the motion in Step 19, position your cursor within the text box where the text should be added and click on **Edit** on the browser Menu bar and select **Paste**. Alternatively use the keystroke [Ctrl + V].
- ◆ Click **[Next]**.

STEP 22 The FINAL DOCKET TEXT screen appears. (See Figure 22.)



CM/ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout

File an answer to a motion:
00-10122 Dale A. Daniels

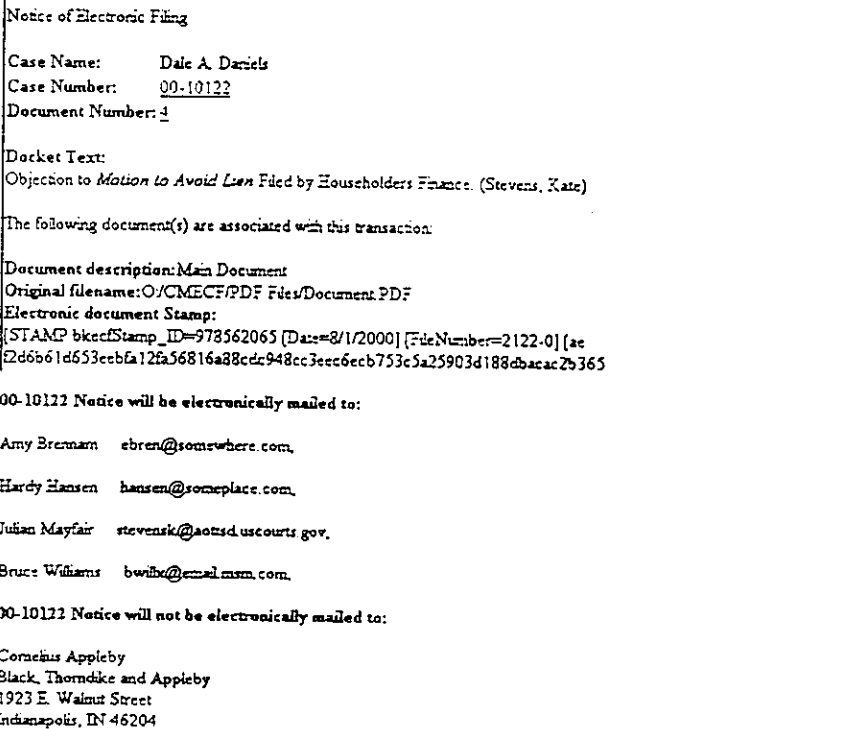
Docket Text: Final Text
Objection to Motion to Avoid Lien Filed by Household Finance. (Stevens, Kate)

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

Figure 22

- ◆ Use caution on this screen and proof the contents of the entry carefully. Click [Next].

STEP 23 The NOTICE OF ELECTRONIC FILING screen appears. (See Figure 23.)



Notice of Electronic Filing

Case Name: Dale A. Daniels
Case Number: 00-10122
Document Number: 4

Docket Text:
Objection to Motion to Avoid Lien Filed by Household Finance. (Stevens, Kate)

The following document(s) are associated with this transaction:

Document description: Main Document
Original filename: O:\CM/ECF\PDF Files\Document.PDF
Electronic document Stamp:
{STAMP bkccfStamp_ID=978562065 [Date=8/1/2000] [FileNumber=2122-0] [ac
2d6b61d653eebfa12fa56816a88cd948cc3ee6ecb753c5a25903d188dbacac2b365

00-10122 Notice will be electronically mailed to:

Amy Brennam ebren@somewhere.com.
Hardy Hansen hansen@someplace.com.
Julian Mayfair stvensk@aotmsd.uscourts.gov.
Bruce Williams bwilbe@email.mym.com.

00-10122 Notice will not be electronically mailed to:

Cornelius Appleby
Black, Thorndike and Appleby
1923 E. Walnut Street
Indianapolis, IN 46204

Figure 23

- ◆ Click the browser [Print] button to print a copy of this notice.
- ◆ You may also save the notice through the browser File/Save option.
- ◆ The Notice of Electronic Filing can be retrieved from the docket report at a later date. (Attorney users will be charged 7¢ a page for future queries and reports through PACER.)